

**HSCA Advisory Committee**  
**DNREC's Lukens Field Office**  
**391 Lukens Drive, New Castle DE 19720**  
**Sept. 7, 2017**  
**Draft Meeting Minutes**

**Attendees:**

Jess Anderson, Michael Baker  
Bill Baldwin, Action Environmental  
Todd Coomes, RL&F, by phone  
Kathy Fox, EA  
Nora Lober, Pennoni  
Doug Seavey, Landmark  
Nick Santella, BSTI  
Lorraine Sheldon, Emory Hill  
Marian Young, Brightfields

**DNREC**

Kate Durant  
Melissa Leckie  
Jim Poling  
Tim Ratsep  
Alex Rittberg  
Qazi Salahuddin  
Lori Spagnolo  
Paul Will  
Christina Wirtz

**Presenters:**

Simeon Hahn, NOAA  
Robb Wright, NOAA

**State Division of Research**

Julie Fedeles, Sunset Committee

**Introductions and Opening Remarks** – Tim Ratsep welcomed old and new members.

**Approval of June 1, 2017 Meeting Minutes** – The meeting minutes were unanimously approved.

**Updates for TMS** – Alex gave an update on the UST and Boiler Safety regulations and federal grants. UST regulations will be submitted to the EPA for review by the spring, with state program approval anticipated for next October. The popular Heating Fuel UST Closure Assistance Program has reached the 500 projects milestone. However, significant reductions in funding are expected due to budget cuts in the future.

**Updates for SIRS** – Tim provide an overview of the state and federal funding. The CORE grant was cut by 50% this year; last year by 40%. The state HSCA Fund is also down, with significant reductions occurring each fiscal year until it expires in 2021. Also reviewing the 15% limit on administrative costs under HSCA. As part of the HSCA discussion, Tim introduced Julie Fedeles, Joint Sunset Committee Analyst, with the Legislative Council. Julie provided the link to the Sunset Committee webpage for HAC members and staff:

<http://legis.delaware.gov/Chambers/Sunset> Julie is reviewing the process and will attend the next few meetings. In addition, DNREC will implement a new membership form for HAC members in the next few weeks.

Paul Will discussed brownfields funding with approx. \$30,000/site available until Oct. 1. Qazi discussed the Preliminary Assessment/Site Investigation (PA/SI) grants. Melissa discussed the status of the brownfields grant funding: \$1.5 million has been spent to date, \$1 million is available until June 30, 2018. There will only be \$1.5 million available in FY19, with no assurance of funding in FY20. Therefore, DNREC will not accept any applications for amounts over \$1.5 million in FY19.

**NOAA Presentation on Environmental Response Management Application (ERMA)** – Simeon Hahn and Robb Wright discussed the new system for managing NOAA data associated with environmental injuries from marine and coastal hazardous waste releases and oil spills. Using NOAA's Data Integration Visualization Exploration and Reporting (DIVER) and ERMA, you can search, visualize, and download data associated with storms, releases, and oil spill events. Robb used the DuPont Hay Road facility as an example to review the PCB congener 209 contamination in the Delaware Bay. Links for DIVER and ERMA can be found at: <https://www.diver.orr.noaa.gov/> Once Robb has time to submit the presentation to us, it will be available at: <http://www.dnrec.delaware.gov/dwhs/BAC/Pages/BACMeetings.aspx>

**HAC Subcommittee Report-outs:**

- **Regulatory Subcommittee – Tim Ratsep & Alex Rittberg** – Tim discussed the new start action notice (SAN) for the HSCA regulations that will include the new definition of brownfields. The changes to the regulations will also limit the responsibilities of brownfield developers to contaminant plumes within the property boundaries (i.e., no plume chasing). Cleanup of offsite contamination will remain the responsible parties' liability unless none are available or have the ability to pay, in which case it would be the state's responsibility. The SAN is available at: <http://www.dnrec.delaware.gov/dwhs/BAC/Pages/BACMeetings.aspx>
- **Technical Subcommittee** – Qazi Salahuddin discussed the subcommittee's meetings and proposed actions including review of the Guidance on Mass Loading.
- **Finance Subcommittee** – Jim discussed amendments to Brownfields Certification Application, and reiterated changes to the HSCA regulations.
- **Outreach & Education Subcommittee** – Christina discussed the new draft brownfields brochure and shared appreciation for terrific comments from Patty Cannon (DEDO) and Marj Crofts. Christina asked the HAC for comments and feedback by Sept. 25. Christina also introduced Melissa's friend, Lorraine Sheldon, with the Delaware Real Estate Women, and discussed potential new opportunities with the group to increase brownfields awareness.
- **Ecological Revitalization & Green Restoration Group** – Kate discussed the EcoHAC's last meeting on July 24 at the Kalmar Nyckel site, which was planted with sustainable landscaping two years ago. Marian discussed the EcoHAC's meeting with the NCCo. Resource Technical Advisory Committee. The county wants to promote native plantings. The subcommittee plans to invite Claudia West to the Dec. 14 meeting. **New**

**Business/Public Comments** – None

**Next Meeting – Due to a conflict with HAC members attending the Brownfields Conference in Pittsburg during the 1st week of Dec., the next HAC meeting will be scheduled for the following week on Dec. 14, 2017 from 9:00-12:30 at DNREC's Lukens Drive Field Office.**